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RCE 2800

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/810,084
Filing Date	March 16, 2001
First Named Inventor	Mark Nelson
Art Unit	2859
Examiner Name	Mirellys Jagan
Attorney Docket Number	NLN.301 (NLSN 301)

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OCT 11 2002

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
  - i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii. ☐ Other \_\_\_\_\_
- b. ☐ Enclosed
  - i. ☒ Amendment/Reply
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☐ Information Disclosure Statement (IDS)
  - iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 22-0258
  - i. ☐ RCE fee required under 37 CFR 1.17(e) 10/11/2002 AMONDAF1 00000145 09810084
  - ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:279 370.00 OP
  - iii. ☒ Other Any additinal Fees
- b. ☒ Check in the amount of \$ 370.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print IType)	Robert D. Varitz	Registration No. (Attorney/Agent)	31436
Signature	<i>Robert D. Varitz</i>	Date	October 8, 2002

## CERTIFICATE OF MAILING OR TRANSMISSION

EXPRESS

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. EV017741908US

Name (Print IType)	Robert D. Varitz	Date	October 8, 2002
Signature	<i>Robert D. Varitz</i>		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Attorney Docket: NLN.301 (NLSN.1000B)

Mark Nelson *et al.*

October 8, 2002

Serial No.: 09/810,084

Group #: 2859

Filed: March 16, 2001

Examiner: Mirellys Jagan

For: Linear Measurement Workpiece Gripping Device

Box RCE  
Commissioner for Patents  
Washington, D.C. 20231

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H. D. R. R. R.  
10/16/02*

Sir:

**PRELIMINARY AMENDMENT IN SUPPORT OF RCE**

Responsive to the Final Office Action dated July 8, 2002, Applicants submit the following Amendment and Remarks:

In the claims, please amend claims 1, 12 and 13 as follows:

--Claim 1. (Amended) A workpiece surface-gripping device joinable adjacent the outer end of an elongate, ribbon-like and generally nominally planar linear measuring tape comprising

a gripper body having a generally planar body expanse in the form generally of a closed plane with perimeter structure which generally circumsurrounds said body expanse, said perimeter structure being formed with a row of plural, spaced perimeter-distributed, workpiece surface-gripping projection elements which project from the plane of the body expanse toward the direction of a joined measuring tape, said projection elements being adapted to contact and grip the far surface of a workpiece having a dimension which is being measured relative to that surface,